

App. Ser. No. 10/634,779
Docket No. SH-0037US
RYU.014

REMARKS

Claims 1-10 and 20-28 and 30-31 are all the claims presently pending in the application. Claims 1, 2, 7, 10, 20, 25, 27, 30 and 31 have been amended to more particularly define the claimed invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-10, 20-28 and 30-31 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement.

Claims 1, 2, 6-10, 20-28 and 30-31 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly being not enabled by the disclosure.

Claims 1-10, 20-28 and 30-31 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite.

These rejections are respectfully traversed in view of the following discussion.

I. THE 35 USC §112, FIRST PARAGRAPH REJECTION

The Examiner alleges that claims 1-10, 20-28 and 30-31 fail to comply with the written description requirement, and that Claims 1, 2, 6-10, 20-28 and 30-31 are not enabled by the disclosure.

With respect to the written description requirement, the Examiner alleges that the phrase "*an outermost portion formed on said outer portion and having a viscosity less than V_0 at the temperature T_s* ," in claim 1 is not described in the specification. Applicant would point out, however, that the specification states that "[p]referably an outside low viscosity clad layer of which viscosity is smaller than V_0 at the temperature T_s is the most outside of the clad" (Application at page 4, line 31-page 5, line 1).

With respect to enablement requirement, Applicant notes that claims 1, 20 and 31 have

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been amended to clarify that the structure includes "silica-based glass".

Thus, Applicant respectfully submits that claims 1-10, 20-28 and 30-31 clearly comply with the written description requirement and the enablement requirement. Therefore, in view of the foregoing, the Examiner is respectfully requested to withdraw this rejection.

II. THE 35 USC §112, SECOND PARAGRAPH REJECTION

The Examiner alleges that claims 1-10, 20-28 and 30-31 are indefinite. Applicant would point out, however, that claims 1, 20 and 31 have been amended to address the Examiner's concerns.

With respect to paragraph 11 in the office action, Applicant notes that the terms "inside portion" and "outside portion" in claims 1, 20 and 31 have been replaced with the terms "inside area" and "outside area", respectively. In addition, Applicant would point out that the terms "inner portion" and the "outer portion" in the present Application do not necessarily always directly related to "inner clad 32" and "outer clad 34".

With respect to paragraph 12 in the office action, Applicant would point out that both the terms "maximum value Vo" and "Vo" indicate the same radial viscosity distribution. Thus, claims 1, 20 and 31 have been amended to unify the terms to "maximum value Vo".

With respect to paragraph 13 in the office action, the "Ts" and the "predetermined temperature" indicate the same temperature. Therefore, claim 2 has been amended to unify the terms to "Ts".

With respect to paragraph 14 in the office action, Applicant notes that the terms "inner portion" and "outer portion" in claims 7, 10, 25 and 30-31 have been replaced with "inside area" and "outside area", respectively.

As to viscosity, Applicant would point out that claim 1 defines a maximum value of the radial viscosity distribution in the outside area to be greater than 7.60 [log(poise)] and the maximum value of radial viscosity distribution in the inside area to be 7.60[log(poise)]. On the other hand, claims 25, 27 and 30 merely define the viscosities of a portion of the inside area or outside area, which may not have the maximum value of the radial viscosity distribution in the

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inside area or outside area.

With respect to paragraph 15 in the office action, Applicant notes that claim 2 has been amended in order to clarify claim 2.

Thus, Applicant respectfully submits that claims 1-10, 20-28 and 30-31 are clearly defined and not indefinite. Therefore, in view of the foregoing, the Examiner is respectfully requested to withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

Claims 27 and 31 have been amended to address the Examiner's objections thereto.

In view of the foregoing, Applicant submits that claims 1-10 and 20-28 and 30-31, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date: 11/1/07

Respectfully Submitted,



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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing was filed by facsimile with the United States Patent and Trademark Office, Examiner Elizabeth Ivey, Group Art Unit # 1775 at fax number (571) 273-8300 this 1st day of Nov., 2007.



Phillip E. Miller
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